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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**IN RE:**

**PREFERRED READY-MIX LLC**

**Debtor.**

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**CASE NO. 21-33369-11  
Chapter 11**

**DEBTOR'S MOTION FOR USE OF CASH COLLATERAL**

TO THE HONORABLE UNITED STATES BANKRUPTCY COURT:

**COMES NOW** Preferred Ready-Mix LLC, the Chapter 11 Debtor in the above styled and referenced bankruptcy case (the "Debtor"), and files this its Motion for Use of Cash Collateral pursuant to 11 U.S.C. § 363 of the Bankruptcy Code and in support of same would respectfully show the following:

1. On October 14, 2021, the Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code. The Debtor is now operating its business and managing its property as a debtor in possession pursuant to §§ 1107(a) and 1108 of the Bankruptcy Code. No request has been made for the appointment of a trustee or examiner and no official committee has yet been appointed. The Debtor has recently asked that the case be designated as a Sub V case and a Sub V trustee be appointed. The majority of the Debtor's property was in receivership until November 20, 2021. The Debtor was able to recover its trucks and equipment from the receiver over the past weekend.

2. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue of the Chapter 11 case and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

3. Debtor requests the Court to enter an Interim Order for Use of Cash Collateral in the form attached hereto as **Exhibit “A.”**

4. Debtor has an immediate need to use the cash collateral of Fundthrough USA Inc. (the “Secured Lender”), the Debtor’s secured creditor claiming liens on Debtor’s personal property including accounts receivable. The Secured Lender is the only secured creditor located through a UCC search that would have an interest in cash collateral. The Debtor can adequately protect the interests of the Secured Lender as set forth in the proposed Interim Order for Use of Cash Collateral by providing the Secured Lender with post-petition liens, a priority claim in the Chapter 11 bankruptcy case, and cash flow payments.

5. The cash collateral will be used to continue the Debtor’s ongoing operations. The Debtor operates a concrete delivery company located in Houston, Texas. The Budget attached to the proposed Order permits the payment of ongoing operating expenses of the Debtor in order to allow the Debtor to maintain its operations in Chapter 11. The Debtor intends to rearrange its affairs and needs to continue to operate in order to pay its ongoing expenses, generate additional income and to propose a plan in this case. The Debtor’s proposed Budget is attached hereto as **Exhibit “B.”**

6. This is an emergency matter since the Debtor has no outside sources of funding available to it and must rely on the use of cash collateral to continue its operations at this time. The Debtor is working on a post-petition factoring arrangement as well but that has not been set up at this time.

WHEREFORE, PREMISES CONSIDERED, the Debtor respectfully requests that this Court enter an Interim Order for Use of Cash Collateral in the form attached hereto as **Exhibit** **"A"** and for such other and further relief to which the Debtor may be justly entitled.

Dated: November 23, 2021.

Respectfully submitted,

/s/ Joyce W. Lindauer  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on November 23, 2021, a true and correct copy of the foregoing document was served via email pursuant to the Court's ECF system to those parties requesting notice in this case, and via United States first class mail, postage prepaid, upon the parties on the attached service list.

/s/ Joyce W. Lindauer  
Joyce W. Lindauer